



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING & DEVELOPMENT**

Application Number: 2501918

Applicant: Lesley Bain for Urban Shelter, LLC.

Address of Proposal: 1121 East Pike Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for the future construction of a six-story building containing 11,140 square feet of retail at and below ground level, 24 residential units on levels two through six, and 5,029 square feet of shared accessory storage use. Accessory parking for 18 vehicles will be provided within the Piston and Ring Building and accessed through a shared access easement off 11th Avenue. The new structure will be attached to the Piston and Ring Building and will share common elevator and stair access.

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC)

1. Open Space minimum quantity 20% of gross residential floor area 23.47.024.A
2. Parking Aisles minimum width 24 feet for large stall (Exhibit) 23.54.030.D
3. Driveway Width for two-way nonresidential use is 2223.54.030.D.2

SEPA-Threshold Determination (Chapter 25.05 SMC).

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

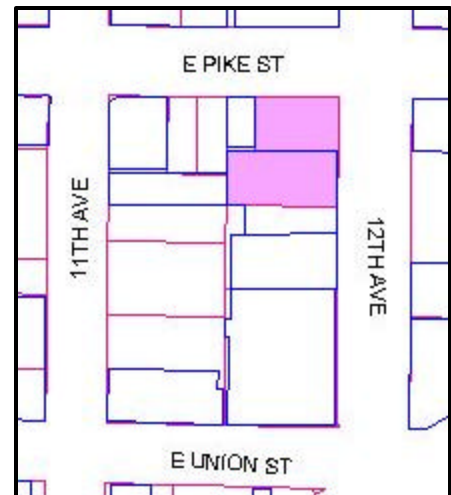
**Early Notice DNS published August 18, 2005

SITE BACKGROUND INFORMATION:

Site Development

The subject site is an irregular shaped corner lot that has frontages along East Pike Street and 12th Avenue, in the Capitol Hill neighborhood. The development site occupies an area of approximately 12,538 square feet in a Neighborhood Commercial Three zone with a Sixty-Five height limit (NC3-65). The site is also located within the First Hill Station District Overlay (light rail), the Pike/Pine Overlay District, and Pedestrian One (P-1) designated zone.

The site is currently occupied by one commercial building (commonly known as the Cornish Building) and a surface parking lot. The Cornish Building is located on the south half of the lot and has frontage along 12th Avenue. The Cornish Building was constructed in 1924 that has been determined not to meet historic landmark standards as determined by the City of Seattle per landmark designation report LPB 245/05. The Cornish Building is a one-story structure with two levels below the 12th Avenue street grade. A vehicle repair shop occupies the daylight basement level with vehicle access to 11th Avenue. The remainder of the gross floor area of the existing building is currently occupied by retail and restaurant uses. The development site slopes downward approximately 22 feet over a distance of 150 feet from its east frontage to the west frontage.



The primary area of development is a paved surface parking lot which has frontage along East Pike Street and 12th Avenue. The surface parking lot slopes modestly downward from its northeast corner to the southwest corner. A six-foot tall chain link fence with barb wire is located around the lot's perimeter to provide additional security. Access to the surface parking lot is off 12th Avenue, through the gated entrance.

Area Development

Zoning in the immediate vicinity is NC3-65, supporting a number of commercial uses including; restaurants, manufacturing, retail, and surface parking lots. To the south, across East Madison Street the zone intensifies to Commercial Two with a height limit of 65 feet (C2-65) that is within the Major Institutional Overlay District for Seattle University with a height limit of 105 feet (MOI-105) for Seattle University owned projects. The streets fronting the development site are fully improved with sidewalk, curbs, and gutters.

Development in the vicinity is predominantly commercial with a number of residential uses located throughout. Directly across 12th Avenue is a surface parking lot and warehouse building. The number of surface parking lots in the immediate area indicates this area is underdeveloped for this sector in the Pike/Pine corridor. On the east side of 12th Avenue several sites are slated for future development. 12th Avenue is an arterial street generating traffic south of Seattle University and Capitol Hill. Pike Street is a significant street connecting downtown to this area of Capitol Hill. The older structures in the area range in height from one to three stories, with brick facades dominating the streetscape. Mature

street trees are interspersed along both street frontages, providing a lush green canopy during the summer months.

Proposal Description:

The applicant proposes minor interior remodeling to an existing building (Cornish) to accommodate a new six-story mixed-use structure that will include two levels below the 12th Avenue street frontage and six levels above. The project includes changing the existing use (auto repair) within the Cornish Building at the basement level to accessory parking for the new building. The new building will contain 11,140 square feet of retail use on two levels at and below the 12th Avenue grade, accessory storage use split between residential and commercial at the basement level, and 24 residential loft units on levels two through six. No change in the existing parking is proposed; the ten off-site parking stalls will be maintained.

Public Comment:

Date of Notice of Application : August 18, 2005

Date End of Comment Period: August 31, 2005

Letters 1

Issues:

The SEPA comment period for this proposal ended on August 31, 2005. The Department received one comment letter during the public comment period.

No letters were received during the early design guidance phase. The one letter was received during the comment period and requested to receive notification of decision for this project.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

On May 11, 2005, the Design Review Board of Area 7 met in an Early Design Guidance (EDG) meeting to consider the site and design objectives of the applicant. After visiting the site, considering the analysis of the site, design context provided by the proponents, and hearing public comment the Design Review Board members provided the following siting and design guidance, and identified by letter (A, B, and C, etc.) and number (1, 2, & 3) those siting and design guidelines found in the City of Seattle's "Design Review: Guidelines for Multifamily & Commercial Buildings" and "Pike/Pine Urban Center Village Design Guidelines" of highest priority to this project.

A Site Planning

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities.

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

A-5 *Respect for Adjacent sites*

Buildings should respect adjacent properties by being located on their site to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings

A-8 *Parking and Vehicle Access*

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

A-10 *Corner Lots*

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

B *Height, Bulk and Scale*

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to nearby, less-intensive zones.

C *Architectural Elements and Materials*

C-1 *Architectural Context*

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complements the architectural character and siting pattern of neighboring buildings.

C-2 *Architectural Concept and Consistency*

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguishable from its façade walls.

C-3 *Human Scale*

The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

C-4 *Exterior Finish Materials*

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged

C-5 *Structured Parking Entrances*

The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

Give attention to the design of the south façade, since there are proposed restaurant terraces and pedestrian open spaces in and around the abutting structure on 12th Avenue. The introduction of balconies, bay windows, or the like could soften the façade by providing an undulating curtain.

D *Pedestrian Environment*

No Comments.

E Landscaping

E-1 landscaping to Reinforce Design Continuity with Adjacent Sites

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

Landscaping should enhance the prior guidelines, by creating transition from neighboring lots and the street, softening edge conditions and by helping create a green streetscape.

The Board supported the preferred conceptual scheme, but requested the design team worked through development of residential open space and mass of south façade. Useable open space on the roof garden warranted greater detailing demonstrating that it would become a destination for the building's occupants. The south façade appeared to turn its back on the adjacent building, creating a solid mass adjacent to the Cornish Building's outdoor restaurant terrace. The Board requested additional studies to break up the south façade to scale its mass down. Additionally, the Board supported the applicants desire to install curb bulb at the intersection of East Pike Street and 12th Avenue.

Summary: The guidance of the Board reflected their concern as to how the proposed project would be integrated into a neighborhood in transition.

Design Review Board Recommendations

On July 6, 2005, the applicant submitted the full Master Use Permit application, and on August 4, 2005, the Capitol Hill/First Hill Design Review Board (Area 7) convened for the recommendation meeting. The applicant team presented elevation renderings, site plans that responded to design guidelines set forth by the Board during the previous meetings. The applicant requested three development departures from the City's Land Use Code:

- Open Space
- Parking Aisle
- Driveway Width

Updated Design:

Since the Early Design Guidance Meeting on May 11, 2005, there have been a number of changes that have affected the size and configuration of the proposed development. These include:

Enlarged Site: A one-lot parcel abutting the subject lot to the south has been combined with the original development site (East 91 feet of Lot 7 and a narrow southerly strip of the west 30 feet) acquired by the applicant, more than doubling the original site. The site has now increased its frontage by 60 feet along 12th Avenue. (Revised site information incorporated site background information.)

Mixed-Use Project: The proposal for two alternate development scenarios (with vehicle access taken off 12th and East Pike) has been abandoned. The current proposal will provide vehicle access through a shared driveway easement taken off 11th Avenue and increased commercial presence along both street frontages. The mixed-use project will feature approximately 24 residential units located above 16,169 square feet of commercial retail and accessory space. The existing Cornish Building contains 17,093 square feet of commercial uses.

Street Retail: The site expansion provides the project with additional frontage along East Pike Street and 12th Avenue to create the opportunity for a significant retail and restaurant presence on the street.

Public Comments

Approximately ten (10) members of the community were in attendance during the August 4, 2005, Final Recommendation meeting. One member of the public commended the Design Review process. The general consensus supported the owner's effort to be good neighbors by incorporating design elements to enliven the pedestrian experience within the abutting rights-of-way. Comments centered on amenities proposed adjacent to the site, canopies over the sidewalk, and visible colorful stair cases within the structure's interior. One member from the public supported the applicant's request for development departures for vehicle access.

Three *departures* from standards of the Land Use Code were requested by the applicant at the time of the meeting and summarized below:

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Applicant rationale</i>	<i>Recommendation by Board</i>
<i>1. Open space quantity. 23.47.024.A</i>	<i>Usable open space shall be equal in amount to 20% of all residential uses. Equals 5,355 sq. ft. of 26,774 sq. ft.</i>	<i>2,314 sq. ft. or 8.3%</i>	<i>Enhancing the pedestrian experience with robust landscaping at street level and on rooftop decks. Large residential windows on the upper level to open the interior to the outdoors.</i>	<ul style="list-style-type: none"> ▪ <i>The board will consider the departure on seeing how the project better meets the design guidelines</i>
<i>2. Parking aisles 23.54.030.E</i>	<i>Aisle width is subject to parking angles and stall size. 90 degree for large stalls equals 24 feet horizontal clearance.</i>	<i>22 feet horizontal clearance.</i>	<i>To increase commercial presence along the streetscape by locating parking level within the existing Cornish Building which has support posts projection into aisle lanes.</i>	<ul style="list-style-type: none"> ▪ <i>The board will consider the departure on seeing how the project better meets the design guidelines</i>

<i>3. Driveway width 23.54.030.D.2.a.2</i>	<i>Nonresidential two-way driveway is required to be a minimum of 22 feet in width.</i>	<i>At door garage door entrance 12 feet minimum width.</i>	<i>The existing driveway is nonconforming to development standards. Emergency vehicles accessing the development site will not be impacted by the narrow driveway.</i>	▪ <i>The board will consider the departure on seeing how the project better meets the design guidelines</i>
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Board Discussion

After considering design plan, project context, hearing public comments, and reconsidering the previously stated priorities, the Board began their deliberations by providing a general assessment of the project proposal and its impact on the neighborhood. Ensuring an elegantly detailed building at the development site is a critical factor to successfully integrate the project into the existing neighborhood fabric. The design team should incorporate measures to open up the building visually with operable windows with well crafted window frames. Attention to enhancing the streetscape vitality with amenities is important, especially at such a prominent corner. Pike/Pine Guidelines should be followed to activate the streetscape. The Board supports and encourages retail access along both street frontages.

The Board members were impressed with the long-term objective of the owner and shared their appreciation for the design team taking the steps to collaborate with others to achieve a vision that is compatible with the Pike/Pine Neighborhood Plan.

The Board accepted the applicant's proposal with recommended conditions to better achieve a design that is at once complimentary to the surrounding neighborhood, yet bold in making a vibrant architectural statement. The Board expects the planner to work out the details with the architect prior to issuing the Master Use Permit.

The Board was encouraged with the applicant's effort to better integrate the design vocabulary among the architectural design themes, color, and texture. At the Recommendation meeting, the Board agreed that the proposed structure is compatible with the surrounding buildings and takes cues from buildings in the area while maintaining sensitivity to the abutting structures. The Board also felt that the design of the "heavy boned" building appears to successfully reinvent older warehouse styled buildings with updated modern flourishes. (*Guidelines A-1, A-2, A-5, B-1, C-1, C-2 & C-4*)

The Board agreed that the use of columns and glazing along the base level adequately reinforced the scale of buildings on either side of the development, both as an extension of the horizontal lines and also in emphasizing the scale of the smaller abutting buildings. Large storefront windows that extend nearly floor to floor provide a dramatic statement at the street edge. The landscape design includes special concrete treatment, ground cover and street trees that correspond with the building's alcove spaces establishes a pedestrian friendly environment along 12th Avenue and East Pike Street. Further sidewalk improvements include installation of a curb bulb at the corner, scoring and banding reveals that reinforce the building's presence in the neighborhood. Additional lampblack will be added to the concrete to give it a slightly darker shade of grey. **The Board was very supportive of the proposed sidewalk**

improvements and would like to extend to SDOT their unanimous support for the proposed design, specifically including the proposed curb bulb, special paving coloration and scoring pattern that reinforce pedestrian entryways. (Guidelines A-1, A-2, A-5, C-1, C-2, C-4, E-1, & E-3)

The Board strongly supported the proposed material palette which including a concrete base with recessed columns to increase glazing. Dark colored metal canopies extend over the sidewalk integrated into the clear-glazed, commercial storefront window system. The upper floors are hardi-panel at the shear walls, steel channels at floor levels and between units and black vinyl windows. The color palette shows a dark gray color for the hardi-panel on floors two through six with bright colors behind the upper level glazing. The banding and steel framed canopies are a deep chocolate color. While the Board felt that the color scheme was appropriate to the surrounding context, they questioned the density of color distribution on the upper levels. Darker exterior colors with stronger interior vibrant colors would create more interesting improvements upon the façade. Therefore, **the Board recommended that the applicant explore introduction of darker exterior colors with stronger interior vibrant colors to create more interesting improvements upon the façade, rather than a conservative demarcation shown on the renderings. (Guidelines A-1, A-2, A-5, C-1, C-2 & C-4)**

The Board would like careful attention directed towards creating a more pronounced residential entry with equal time devoted to either minimizing or relocating the recycling access entry. The proximity and design of the residential entry off 12th Avenue inadvertently has resulted in diminishing, what should otherwise invoke a celebratory entrance. The Board also agreed that the residential level should provide opportunities to bring the outside indoors. Operable glazing should be introduced on the south, east, and north facades with shallow balconies where appropriate. The operable windows will lend to opportunities for greater interaction and connection between the residential uses and a streetscape teeming with viability. **The Board recommended that the applicant should provide operable windows upon the north, east, and south facades to create a greater synergy with the neighboring uses. The residential entries should be redesigned with grander scale. (Guidelines A-10, C-3, & C-4)**

Departure Analysis

The Board noted that it was apparent that the applicant's intention to covert the Cornish building's basement level auto repair use into an accessory parking garage was brilliant. It has accomplished removal of any potential pedestrian vehicle conflicts along 12th Avenue and East Pike Street. Further, it reinforces the pedestrian importance upon the streetscape which is a primary objective in this neighborhood. Vehicle access to the development site will continue to be taken off 11th Avenue. 11th Avenue is an under utilized street with no distinguishable characteristics, that functions more like an alley between the more active 10th and 12th Avenues. To further activate the pedestrian space in the right-of-way along East Pike and 11th Avenue, the Board supported the idea of installing a curb bulb and textured sidewalks. (Guidelines A-2, A-8, C-3, C-5, E-1)

- i. Parking Aisles minimum width 24 feet for large stall (SMC 23.54.030.E)

Minimum aisle widths shall be provided for largest vehicles served by the aisle. The development proposes large parking stalls (8.5 feet by 19 feet) for a nonresidential use which requires 24 feet horizontal clearance. The applicant proposes to reuse an existing basement that currently supports an automotive a repair use. The parking is proposed on a daylight basement level with support columns. The existing alignment of the support columns poses insurmountable design option in the garage. The request is to reduce the aisle width by 2 feet which will result in a 22 feet minimum aisle width. The small number of vehicles affected by this request will not have a significant adverse impact; it will merely require an additional maneuver or two in an area not affecting other vehicles. The benefit to remove all vehicle access points abutting the subject lot along 12th Avenue and East Pike Street outweighs minor any inconvenience in and out of the stalls. The Board felt that the design objectives expressed during EDG were achieved in the proposed design. (A-2, A-8, C-3, C-5, E-1)

ii. Driveway Width for two-way nonresidential use is 22 feet (SMC 23.54.030.D.2.a.2)

Nonresidential driveway widths for two-way traffic shall be a minimum of 22 feet and a maximum width of 25 feet. The existing garage door opening into the basement level is less than 22 feet in width. The applicant is limited to widen the vehicle access door to 12 feet to avoid compromising the building's structural integrity. On either side of the opening an area exists for cars to stage while the oncoming vehicle passes by. With the limited number of vehicles accessing the parking level and layout around the threshold door, traffic safety is anticipated to not be compromised. The applicant's design was supported by the Board, with suggestions to incorporate measures to reduce potential accidents within the parking level through signage. (A-2, A-8, C-3, C-5, E-1)

The Board acknowledged that the proposal is well designed and conceived with minor lapses in attention to residential open space. The Board supported the layout of the roof garden but encouraged additional landscaping and the creation of "outdoor room" for the residential tenants. If feasible a "living roof" design treatment upon the roof should be considered to improve the residential experience on the roof deck. The architect was also encouraged to work with DPD and CityDesign on the details for improvements in the East Pike and 12th Avenue ROW. (*Guidelines A-2, A-7, A-10, E-1, & E-3*)

iii. Open Space minimum quantity 20% of gross residential floor area (SMC 23.47.024.A)

Minimum residential open space is required to be 20% of gross floor area devoted to residential use. The applicant proposes dedicating approximately 26,774 gross floor area to residential use (including storage area). The Code thus requires 5,355 square feet of open space. The applicant is requesting to earmark 2,214 square feet to residential use. Additionally, the Board noted the existence of open space is slated for nonresidential users in the Cornish Building. The proposed structure will maximize the allowed 100% coverage for all uses, while maintaining the height of the one-story Cornish building abutting the south facade to allow southern exposure to light and air. The Board agreed that the residential level provided large windows that opened the building's interior to the outdoors compensated for the loss open space. However, the Board noted that additional opportunities to bring the outside indoors would be needed.

Operable glazing should be introduced on the south, east, and north facades with shallow balconies where appropriate. Additionally, the limited useful roof area earmarked for residential open space should be well detailed with an abundance of landscaping, and the creation of outdoors rooms for various recreational activities should be incorporated into the final design.

The Board recommended that the applicant should redesign the roof garden with fine nuanced design elements to enhance the recreational experience including plants, lawn furniture, and architectural detail. (A-7, C-3, E-1)

The three Board members present recommended that the design should be approved with the refinements noted to be worked out with DPD. In particular, residential units should open up to the outdoors, residential open space needs further development, vehicle stalls should be shifted closer to the north wall, and the building's interior elements should find expression through the exterior shell. The Board also recommends approval of all the requested departures as stated in the departure matrix. Thus, the project should move forward as designed.

Summary of Departures

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Applicant rationale</i>	<i>Recommendation by Board</i>
<i>1. Open space quantity. 23.47.024.A</i>	<i>Usable open space shall be equal in amount to 20% of all residential uses. Equals 5,355 sq. ft. of 26,774 sq. ft.</i>	<i>2,314 sq. ft. or 8.3%</i>	<i>Enhancing the pedestrian experience with robust landscaping at street level and on rooftop decks. Large residential windows on the upper level to open the interior to the outdoors.</i>	▪ Approved
<i>2. Parking aisles 23.54.030.E</i>	<i>Aisle width is subject to parking angles and stall size. 90 degree for large stalls equals 24 feet horizontal clearance.</i>	<i>22 feet horizontal clearance.</i>	<i>To increase commercial presence along the streetscape by locating parking level within the existing Cornish Building which has support posts projection into aisle lanes.</i>	▪ Approved
<i>3. Driveway width 23.54.030.D.2.a.2</i>	<i>Nonresidential two-way driveway is required to be a minimum of 22 feet in width.</i>	<i>At door garage door entrance 12 feet minimum width.</i>	<i>The existing driveway is nonconforming to development standards. Emergency vehicles accessing the development site will not be impacted by the narrow driveway.</i>	▪ Approved

Summary of Boards' Recommendations:

The recommendations summarized below were based on the plans submitted at the August 17, 2005 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings submitted for review on October 25, 2005. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the three Design Review Board members recommended approval of the subject design with conditions. No departures were requested. The Board made the following recommendations. (Authority referred to in letter and numbers are in parenthesis):

1. The Board was very supportive of the proposed sidewalk improvements and would like to extend to SDOT their unanimous support for the proposed design, specifically including the proposed curb bulb, special paving coloration and scoring pattern that reinforce the entryways. (*Guidelines A-1, A-2, A-5, C-1, C-2, C-4, E-1, & E-3*)
2. Explore introduction of darker exterior colors with stronger interior vibrant colors to create more visual interesting and vibrancy upon the façade, rather than a conservative demarcation shown on the renderings. (*Guidelines A-1, A-2, A-5, C-1, C-2 & C-4*)
3. Applicant should provide operable windows upon the north, east, and south facades to create a greater synergy with the neighboring uses. The residential entries should be redesigned with grander scale. (*Guidelines A-10, C-3, & C-4*)
4. Redesign roof garden with fine nuanced design elements to enhance the recreational experience including plants, lawn furniture, and architectural detail. (A-7, C-3, E-1)

Director's Analysis and Decision : Design Review

The design of the new building (containing 24 residential loft units and commercial uses) is similar in scale, proportion and materials, but reduces the appearance of bulk through use of expansive glazing and rhythmic structural frame schemes. The design of the proposed structure has been influenced by the surrounding vernacular with modern touches to provide visual interest that seeks a sense of individuality. The proposed building establishes a strong street presence through maximizing lot coverage on the upper levels and opening the interior spaces to the outside behind large windows. As viewed from the street frontages, the proposed six (6)-story building with three main residential levels with mezzanines, and street level commercial use will visually activate the immediate area. The facade will maximize transparency both horizontally and vertically at both street levels to enhance the pedestrian experience along East Pike Street and 12th Avenue. The commercial level will align with adjacent structures to hold the vertical commercial frame. Metal overhead awnings create a visor above the sidewalk to stimulate visual interest upon the streetscape and will provide protection from inclement weather. Upper level façade will feature bold colors behind the windows to add depth upon the façade, and metal railing systems will add greater detail to the building's facade. The structure's bulk and scale will have a good relationship with surrounding properties due to in part to the alignment of the mental frieze above the store front windows. The frieze will wrap around the south façade where the facade is exposed.

As viewed from the south (Cornish Building) orientation, the structure will have a similar design echoing the street side façades. The upper level window treatments will mirror the street facing facades. An open plaza courtyard and restaurant terrace is proposed on the first level of the Cornish Building which is proposed adjacent to the more transparent portion of the new building to alleviate potential starkness of solid walls.

Opening the interior to the outdoors with the proposed glazing system, along with façade treatments on all residential levels was enthusiastically supported by the Board, with several conditions to address minor lapses. The Board was also very supportive of the applicant's response to activating the street with the proposed dyed and scored sidewalk to create visual interest within the right-of-way installation of curb bulb. In all cases the Director of DPD affirms the Board conclusions and will support proposed to street improvements.

The Director of DPD has reviewed the recommendations and conditions of the Design Review Board. The Director finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily & Commercial Buildings* and *Pike/Pine Urban Center Village Design Guidelines*. The Director **APPROVES** the subject design consistent with the Board's recommendations above. This decision is based on the Design Review Board's final recommendations and on the plans submitted at the public meeting on August 17, 2005 and the plans on file at DPD. Design, siting or architectural details not specifically identified or altered in this decision are expected to remain substantially as presented in the plans submitted to DPD on October 24, 2005 in response to the outcome of the August 17, 2005.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated July 6, 2005) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small

increase in traffic and parking impacts due to construction workers' vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

Traffic - Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during earth moving activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with transportation during construction. The excavation of the lower levels will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

It is expected that most of the material will be removed from the site to excavate for the below-grade garage. During excavation a single-loaded truck will hold approximately 10 cubic yards of material. This will require approximately 300 truck loads to remove approximately 3,000 cubic yards of material. In order to limit this negative impact as much as possible, a Truck Trip Plan will be required and approved by SDOT prior to issuance of a building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials, and include a limitation of truck trips during peak hours, which are from 7 AM to 9 AM and 4 PM to 6 PM.

Noise - Most of the initial construction activity including demolition, excavation, foundation work, and framing will require loud equipment and will have adverse impacts on nearby residences. The protection levels of the Noise Ordinance are considered inadequate for the potential noise impacts on the nearby residential uses. The impacts upon residential uses would be especially adverse in the early morning, in the evening and on weekends. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B) allow the reviewing agency to limit the hours of construction in order to mitigate adverse noise impacts. Pursuant to this policy, and because there are residences in the vicinity, the applicant will be required to limit construction hours. Demolition and construction activities taking place within an enclosed structure, which meet the standards of the Noise Ordinance, are allowed. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Air and Environmental Health - Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of multifamily structures and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Height, Bulk, and Scale

The proposed six-story project will rise to approximately 70 feet to the top of the roof deck from the lowest sidewalk elevation grade along the East Pike Street, and to 70 feet along the lowest corner elevation grade. The development site and surrounding area is located within a Neighborhood Commercial Three zone with a height limit of 65 feet (NC3-65). The proposed structure will be the tallest building on the west side of 12th Avenue, as would otherwise be allowed by code. The adjacent lots contain one-story structures that are considerably undersized for the zoned height and would be prime candidates for redevelopment. The proposed building's perimeter façade is designed to hold the horizontal line of the abutting buildings to scale its presence along the streetscape. The site is a corner lot, with adjacent building stepping down equally on either side. Across the 12th Avenue right-of way, approximately 80 feet away (minimum) are structures proposed for development extending to the maximum height limits. The proposed project is being developed to NC3-65 standards, as allowed by the Land Use Code, and is thereby in keeping with the scale of the potential of the zone as well as that of several existing structures in the vicinity.

The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that *"the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, the shoreline goals and policies set forth in Section D-4 of the land use element of the Seattle Comprehensive Plan, the procedures and locational criteria for shoreline environment redesignations set forth in SMC Sections 23.60.060, and 23.60.220, and the adopted land use regulations for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."*

In addition, the SEPA Height, Bulk and Scale Policy states that *"(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."* Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board approved this

project with conditions, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that condominium units generate approximately 4.18 vehicle trips per day in suburban communities. Within the City, vehicle trips are substantially lower due in part to the location of employment work centers, availability and proximity of public transit to downtown and other employment centers will make it likely that there will be fewer vehicle trips than from developments in outlying areas on which the ITE generation equation is based. The site has ready access to the Broadway East, East Pine Street, and East Madison to name a few arterials supporting public transit within walking distance. The amount of traffic expected to be generated by 12 parking stalls devoted to residential use and 6 stalls dedicated to commercial use is within the capacity of the streets in the immediate area, so no SEPA mitigation of traffic impacts is warranted.

Parking

The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that parking impact mitigation may be required only where on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street parking to reach capacity. Parking utilization in the vicinity appears to be near capacity. Parking can be found during the daytime with limited availability during evening hours. Eighteen (18) off-street parking spaces will be provided on-site for the new use, and ten (10) parking stalls located off premise for the existing uses (within the Cornish Building), for a total of 28 parking stalls. Residential parking will be at a ratio of 0.50 spaces per each unit which meets code requirements and is expected to accommodate parking demand most of the day. In the Pike/Pine Overlay District, no SEPA authority is provided for the decision maker to require more parking than the minimum required by the Land Use Code which is equivalent 0.5 spaces for each dwelling unit; per Section 25.05.675M(2bii).

On-street parking capacity in the surrounding area is sufficient to meet any additional spill-over parking that might be generated from the proposed commercial uses, if any actually occurs. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the

requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

CONDITIONS – DESIGN REVIEW

The owner/applicant shall update plans to show:

Non-appealable conditions

1. Embed all conditions of approval into the cover sheet on the updated MUP plan set and all subsequent building permit drawings.
2. Embed colored elevation and landscape drawings into the MUP and building permit drawings.
3. Any proposed changes to the external design of the building, landscaping or improvements in the public right-of-way must first be reviewed and approved by the DPD planner prior to construction.

Prior to issuance of MUP

4. Attach a copy of the associated Lot Boundary Adjustment (project number 3003276) to plan set.
5. Submit color palette demonstrating darker exterior colors with stronger interior vibrant colors that create more interesting improvements upon the façade, subject to DPD approval.
6. Revise plan set illustrating operable windows upon the north, east, and south facades to create a greater synergy with the neighboring uses. The residential entries should be redesigned with grander scale, subject to DPD approval.
7. Redesign roof garden with fine nuanced design elements to enhance the recreational experience including plants, lawn furniture, and architectural detail, subject to DPD approval.

Prior to Issuance of Construction Permit

8. Submit a copy of the vehicular access easement agreement (for recording or recorded) providing access to the 11th Avenue, benefiting the development site as depicted on the MUP site plan.

After Issuance of Building permit and Prior to Groundbreaking

9. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

SEPA CONDITIONS

The owner(s) and/or responsible party(s) shall:

Prior to Issuance of Construction Permit

10. The owner(s) and/or responsible party(s) shall submit a copy to DPD of any required PSCAA Demolition Permit(s).
11. Submit a Truck Trip Plan to be approved by SDOT prior to issuance of a building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials, and include a limitation of truck trips during peak hours, which are from 7 AM to 9 AM and 4 PM to 6 PM

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

12. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of construction to non-holiday weekdays between 7:30 AM and 6:00 PM and Saturdays between 9:00 AM and 6:00 PM. This condition may be modified by the Department to permit work of an emergency nature to allow low noise exterior work (e.g., installation of landscaping) or to allow work which cannot otherwise be accomplished during the above hours upon submittal of a noise mitigation plan and after approval from the Land Use Planner. After the structures are enclosed, interior work may proceed at any time in compliance with the Noise Ordinance.

Signature: (signature on file) Date: March 9, 2006
Bradley Wilburn, Land Use Planner
Land Use Services
Department of Planning and Development